

In the Beginning

South Carolina's coast is more than just a pretty shoreline. Our beaches offer unsurpassed recreational opportunities, protect the upland during storms, provide a unique natural habitat, and help make tourism one of this state's largest industries.

The Coastal Zone Management Act of 1977 was enacted to protect our coastal resources from unwise development. This legislation served the beaches well during its first decade, but as South Carolina became a more popular tourist destination, it became apparent that the portion of the Act that dealt with beaches was inadequate. As development crept seaward, seawalls and rock revetments proliferated, damaging public beaches. In many areas there was no beach left at high tide. In some areas, there was no beach at low tide, either.

In 1988 and again in 1990, South Carolina's legislators took action and amended and strengthened the Coastal Zone Management Act. The resulting Beachfront Management Act protects South Carolina's sandy shores by increasing the state's jurisdiction and encouraging development to move landward.



South Carolina's Beachfront Jurisdiction

The state's jurisdiction on the beach became definable by erosion rates and sand dunes on July 1, 1988. The higher the erosion rate, the farther landward the state's jurisdiction.

To find the boundaries of this jurisdiction, staff from the Office of Ocean and Coastal Resource Management must first locate the baseline, which is the crest of the primary oceanfront sand dune. Where there are no dunes, the agency uses scientific methods to determine where the natural dune would lie if natural or man-made occurrences had not interfered with nature's dune building process.

The setback line is the most landward boundary and is measured from the baseline.

To find the depth of the setback line, the beach's average annual erosion rate for the past forty years is calculated and multiplied by forty. For example, if the erosion rate is one foot per year, the results will be a setback zone that stretches forty feet from the baseline.

Folly Beach in Charleston County is the only exception to this rule. The Charleston Harbor jetties, a federal project built in the late 1800s, are a major source of erosion on Folly Beach. To compensate property owners for their loss, the General Assembly set Folly Beach's baseline along the beach's erosion control structures. There is no setback on Folly Beach, thus the state's jurisdiction is seaward of the baseline only.

To see where the baseline and setback lines fall on a particular property, contact OCRM. If any portion of your proposed project falls seaward of the setback line, talk with someone in the OCRM permitting section before beginning construction. Failure to do so may result in a fine and/or the removal of the structure at the property owner's expense.



Building in the Setback

The purpose of the Beachfront Management Act is not to stop development. The Act promotes responsible development—development that respects natural beach dynamics.

Several activities are allowed in the setback, including the construction of new homes, the repair or replacement of a home, routine maintenance of an erosion control device, and the replacement of a destroyed swimming pool.

A permit is not needed, but property owners are required to contact OCRM, in writing, before work begins. The agency has a notification form for this purpose. Using the form, OCRM will determine if the proposed project is in compliance with the Beachfront Management Act. New habitable structures, for example, must be built as far landward as possible and are limited to a maximum of 5,000 square feet. New swimming pools may be constructed if located behind a functioning erosion control device.

No construction may alter the beach's primary sand dune or active beach zone.

Building Seaward of the Baseline

A permit is not needed to build wooden dune walkovers less than six feet wide, but permits are required to build all other structures seaward of the baseline. Permits are easily obtainable for wooden decks no larger than 144 square feet, public fishing piers, golf courses, normal landscaping, and the repair or replacement of pools located landward of a functional erosion control device.



In some instances, a special permit may be obtained to build structures seaward of the baseline. To qualify, the structure (usually a home) must be built as far landward as possible and have no impact on the primary sand dune or active beach area. If the beach erodes and the permitted structure becomes situated on the active beach, the property owner must agree to remove the structure if so ordered by OCRM.

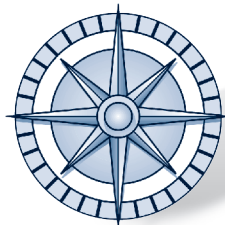
Erosion Control Structures

Erosion control structures represent the greatest threat to the preservation of the beach. On an erosional beach, seawalls and rock revetments may actually accelerate erosion, effectively killing the beach. South Carolina takes a hard position where these structures are concerned.

No new erosion control structures are allowed seaward of the setback line. Functional erosion control structures may not be enlarged, strengthened or rebuilt, but may be maintained in their present condition. If destroyed, the structure must be removed at the owner's expense.

With the removal of erosion control structures, sand dunes will once again become the best protection against high tides and minor storms. Property owners, local governments, and the public need to do what they can to protect sand dunes. The Office of Ocean and Coastal Resource Management's "How To Build A Dune" is a guide for creating and preserving sand dunes.

Contact OCRM
for a free copy.



For More Information

If you have any questions or need more information, contact OCRM.

Charleston

1362 McMillan Avenue, Suite 400
Charleston, S.C. 29405
Phone: (843) 744-5838

Myrtle Beach

1705 N. Oak Street, Suite 6
Myrtle Beach, S.C. 29577
Phone: (843) 626-7217

Beaufort

104 Parker Drive
Beaufort, S.C. 29906
Phone: (843) 846-9400

World Wide Web

<http://www.scdhec.gov/ocrm>



South Carolina Department of Health
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The BEACH FRONT MANAGEMENT ACT

